

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

LESLIE BRIGGS, as next friend of T.W. and
B.S.;
EVAN WATSON, as next friend of C.R.; and,
HENRY A. MEYER, III, as next friend of
A.M., for themselves and for others similarly
situated,

Plaintiffs,

v.

CARRIE SLATTON-HODGES, in her
official capacity as the Commissioner of the
Oklahoma Department of Mental Health and
Substance Abuse Services; and
CRYSTAL HERNANDEZ, in her official
capacity as Executive Director of the
Oklahoma Forensic Center,

Defendants.

Case No. 23-cv-00081-GKF-JFJ

ORDER AUTHORIZING RELEASE OF CONFIDENTIAL MEDICAL RECORDS

Before the Court is the Applicant's request for an Order authorizing the release of confidential medical records and information, which may include mental health, alcohol or substance abuse records and information all incarcerated criminal defendants who have been adjudicated incompetent to stand trial and have been ordered to receive restorative services from Oklahoma Department of Mental Health and Substance Abuse Services ("ODMHSAS") since January 1, 2021. After reviewing the evidence the Court hereby finds as follows:

1. The release of the requested medical records and information of all incarcerated criminal defendants who have been adjudicated incompetent to stand trial and have been ordered to receive restorative services from ODMHSAS since January 1, 2021 is necessary for discovery related to the issues in this matter, including, but not limited to, what restorative treatments are taking place in in-jail settings.

2. There is a reasonable likelihood that the records will disclose information of a substantial value.

3. Other ways to obtain this information are not available and would not be effective. Further, the public interest and need for this disclosure outweigh any potential injury to the patient, the physician-patient relationship, and treatment services.

4. Counsel for ODMHSAS have been given notice of the application and afforded the opportunity to be heard. ODMHSAS did not object to the Application.

5. **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the medical records and information of all incarcerated criminal defendants who have been adjudicated incompetent to stand trial and have been ordered to receive restorative services from ODMHSAS since January 1, 2021 are appropriately released for purposes connected with discovery related to the issues in this matter, including, but not limited to, what restorative treatments are taking place in in-jail settings.

This Court Order, the Application To Obtain Medical Records of Patient, and any other records of this proceeding which identify the name of the patient or former patient of ODMHSAS that is the subject of this Order, shall be kept confidential pursuant to the Amended Stipulated Protective Order.

DATED this 31st day of May, 2023.


GREGORY K. FRIZZELL
UNITED STATES DISTRICT JUDGE